IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTIETH DAY OF NOVEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 25486 of 2005

Between:

Smt.T.Anjamma

..... PETITIONER

AND

The Revenue Divisional Officer,

Ongole, Prakasam District and another

.....RESPONDENTS

ORDER:

Seeking a Mandamus, declaring the order passed by the 2nd respondent in proceedings Rc.C.665/2005, dated 09.11.2005 as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

The petitioner questions the order of the 2nd respondent dated 09.11.2005 in suspending the kerosene dealership of the petitioner after giving a show cause notice. It is stated that as per Clause 28(1) of A.P.Petroleum Products Order, 1980, the licensing authority shall not only give a reasonable opportunity to represent his case in writing, but also give a personal hearing against the proposed cancellation or suspension of authorization. The proviso does not say anything about the hearing before suspension, but it say against the cancellation. However, the kerosene dealership of the petitioner is suspended as a measure of punishment. Whether the petitioner is entitled for personal hearing without making any request or representation is a matter to be decided by the appellate authority. As against the impugned order, an appeal has been filed before the 1st respondent.

As the allegations made in the impugned order are not serious and as they are trivial in nature, and having regard to the facts and circumstances of the case, I deem it

appropriate to dispose of the writ petition, with a direction to the 1st respondent to consider and dispose of the appeal filed against the impugned order of the 2nd respondent, as expeditiously as possible, in accordance with law. Till then, the operation of the impugned order dated 09.11.2005 shall be kept in abeyance.

Accordingly, the Writ Petition is disposed of. No order as to costs.

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V.ESWARAIAH,J

Dated: 30.11.2005

Dsr

Note:

Issue CC in 2 days

B/o

Dsr